



Animal Welfare Institute

900 Pennsylvania Avenue, SE, Washington, DC 20003

June 15, 2020

Dr. Manoel Tamassia, DVM, MS, PhD
Director and State Veterinarian
Division of Animal Health
New Jersey Department of Agriculture
P.O. Box 330
Trenton, NJ 08625

Dear Dr. Tamassia:

I am writing on behalf of the Animal Welfare Institute (AWI) to commend the Division of Animal Health's (DAH) efforts in investigating violations of the state's Humane Treatment of Livestock regulations (NJAC 2:8). I also wish to bring to your attention our concerns regarding insufficient action being taken in cases that involved reoccurring or severe violations.

Through the submission of public records requests, AWI recently surveyed 16 states that have enacted on-farm animal protection laws and/or regulations. Our goal was to determine whether the provisions of these laws and/or regulations are being enforced, and if so, to what degree (see enclosed report).

AWI received records from the New Jersey Department of Agriculture (NJDA) that documented 22 field investigations for complaints involving farm animals during a recent 2-year period. (Investigations involving only horses were not counted for purposes of this survey.) Based on the records it is evident that the NJDA takes care to adhere to a formal process for investigating animal care violations required by the Humane Treatment of Livestock regulations. We found that New Jersey appears to have one of the most comprehensive and thorough processes for performing investigations and documenting observations compared to the other states surveyed that have enacted similar regulations.

While we laud the NJDA for these efforts, after reviewing the records in depth, we noted several cases involving repeat offenders where insufficient enforcement action was taken and violations continued to occur as a result. Two examples of such incidents are provided below:

- Records provided to AWI document several investigations involving cattle that occurred on a property in Lebanon, NJ on or before February of 2016. According to the records, a certified livestock inspector visited the property at least 8 times during a 3-year period. Throughout this time period, the livestock owner was cited multiple times for failing to keep animals in adequate body condition; provide animals with adequate minerals and protein; remove hazardous conditions from the animals' environment, including scrap metal/wood and toxins; and source unrelated genetics for breeding purposes. It was also well-documented that the owner's herd size continued to remain at an unmanageable level, despite his own acknowledgement that he was unable to provide adequate care for all animals and repeated instructions from the certified livestock inspector to reduce his herd size. During the most recently reported investigation of this property, which occurred on February 8, 2019, many of the same violations that had gone unresolved for a number of years – and were considered to be severe violations as a result – were yet again documented.

- Records provided to AWI document several investigations at a property in Robbinsville, NJ, beginning in August 2017. During the initial investigation, the owner was not present and had not been seen on the property in several weeks. Investigators documented numerous violations of the Humane Treatment of Livestock regulations including lack of food and water; excessive buildup of mud, water and feces in areas animals were housed; inadequate protection from adverse weather; presence of toxins, sharp objects and debris such as loose nails and wire throughout the property; and animals with inadequate body condition scores. An additional investigation that occurred in January 2018 revealed numerous pigs had died on the property, potentially as a result of hypothermia. Many of the same violations were documented and, again, the animals appeared to be abandoned. Despite continued documentation of these violations, they were not treated as severe and action was not taken to search the premises and remove animals until August 2018.

It is clear from these cases that the actions taken by the NJDA and local authorities to require compliance with the Humane Treatment of Livestock regulations were insufficient and ineffective. As a result, some livestock owners continued to deprive their animals of humane care and treatment for a number of years. It is imperative that NJDA officials work with local authorities to ensure appropriate actions are taken in a timely manner when individuals are found to have continuously violated the state's regulations.

We appreciate the work your team does in conjunction with state and local authorities to protect farm animals by ensuring potential violations of the state's Humane Treatment of Livestock regulations are properly investigated. We hope you will take into consideration our concerns and identify ways in which these efforts can be improved.

Thank you for your time. I would appreciate the opportunity to meet with you to provide additional information and answer any questions you might have. You may contact me via email (dena@awionline.org) or by telephone (202-337-2332).

Sincerely,



Dena Jones, M.S.
Director, Farm Animal Program

Enclosure